

Senate, April 1, 1998. The Committee on Environment reported through SEN. DAILY, 33rd DIST., Chairman of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING CONTROL OF NUISANCE WILDLIFE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 26-47 of the general statutes, as
2 amended by public act 97-255, is repealed and the
3 following is substituted in lieu thereof:

4 (a) When it is shown to the satisfaction of
5 the commissioner that wildlife is causing
6 unreasonable damage to agricultural crops during
7 the night and it is found by the commissioner that
8 control of such damage by wildlife is
9 impracticable during the daylight hours, the
10 commissioner may issue permits for the taking of
11 such wildlife as he deems necessary to control
12 such damage by such method as he determines,
13 including the use of lights, during the period
14 between sunset and sunrise, upon written
15 application of the owner or lessee of record of
16 the land on which such crops are grown. Such
17 permits may be issued to any qualified person
18 designated by such landowner or lessee. The person
19 to whom such permit is issued shall be held
20 responsible for complying with the conditions
21 under which such permit is issued. The provisions
22 of this section shall not apply to deer.

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19 to whom such permit is issued shall be held
20 responsible for complying with the conditions
21 under which such permit is issued. The provisions
22 of this section shall not apply to deer.

23 (b) (1) No person shall engage in the
24 business of controlling nuisance wildlife, other
25 than rats or mice, without obtaining a license
26 from the commissioner. Such license shall expire
27 on the last day of December next succeeding its
28 issuance. The fee for such license shall be fifty
29 dollars. The controlling of nuisance wildlife at
30 the direction of the commissioner shall not
31 constitute engaging in the business of controlling
32 nuisance wildlife for the purposes of this
33 section. No person shall be licensed under this
34 subsection unless he provides evidence,
35 satisfactory to the commissioner, that he has
36 completed training which included instruction in
37 site evaluation, methods of approved lethal
38 resolution of common nuisance wildlife problems,
39 techniques to prevent reoccurrence of such
40 problems and humane capture, handling and
41 euthanasia of nuisance wildlife AND INSTRUCTION IN
42 METHODS OF NONLETHAL RESOLUTION OF COMMON NUISANCE
43 WILDLIFE PROBLEMS, INCLUDING, BUT NOT LIMITED TO,
44 TRAINING REGARDING FRIGHTENING DEVICES,
45 REPELLANTS, ONE-WAY DOOR EXCLUSION AND OTHER
46 EXCLUSION METHODS, HABITAT MODIFICATION AND
47 LIVE-TRAPPING AND RELEASING AND OTHER APPROPRIATE
48 NONLETHAL METHODS. The commissioner shall adopt
49 regulations in accordance with the provisions of
50 chapter 54 which (A) define the scope and methods
51 for controlling nuisance wildlife provided such
52 regulations shall incorporate the recommendations
53 of the 1993 report of the American Veterinary
54 Medical Association panel on euthanasia and
55 further provided such regulations may provide for
56 the use of specific alternatives to such
57 recommendations only in specified circumstances
58 where use of a method of killing approved by such
59 association would involve an imminent threat to
60 human health or safety and only if such
61 alternatives are designed to kill the animal as
62 quickly and painlessly as practicable while
63 protecting human health and safety, and (B)
64 establish criteria and procedures for issuance of
65 a license.

66 (2) Except as otherwise provided in
67 regulations adopted under this section, no person
68 licensed under this subsection may kill any animal
69 by any method which does not conform to the
70 recommendations of the 1993 report of the American

71 Veterinary Medical Association panel on
72 euthanasia. No person may advertise any services
73 relating to humane capture or relocation of
74 wildlife unless all methods employed in such
75 services conform to such regulations.

76 (3) Any person licensed under this subsection
77 shall provide a prospective client with a written
78 statement regarding approved lethal AND NONLETHAL
79 options, AS PROVIDED IN THIS SUBSECTION, WHICH ARE
80 available to the client for resolution of the
81 nuisance problem prior to providing nuisance
82 wildlife control services. IF A WRITTEN STATEMENT
83 CANNOT BE DELIVERED TO THE CLIENT PRIOR TO
84 SERVICES BEING RENDERED, THE LICENSEE SHALL ORALLY
85 EXPLAIN THE PROVISIONS OF THE STATEMENT TO THE
86 CLIENT PRIOR TO RENDERING SUCH SERVICES AND SHALL
87 LEAVE THE STATEMENT AT THE JOB SITE OR OTHER
88 LOCATION ARRANGED WITH THE CLIENT.

89 (4) On or before February first of each year,
90 each person licensed under this subsection shall
91 submit a report to the commissioner which
92 specifies the means utilized in each case of
93 nuisance wildlife control service provided in the
94 preceding calendar year including any method used
95 in those cases where an animal was killed. Any
96 information included in such report which
97 identifies a client of such person or the client's
98 street address may be released by the commissioner
99 only pursuant to an investigation related to
100 enforcement of this section.

101 (c) Any person who violates any provision of
102 this section, or any condition under which a
103 permit or license is issued, shall be fined not
104 less than twenty-five dollars nor more than two
105 hundred dollars or be imprisoned not more than
106 sixty days or be both fined and imprisoned; and
107 any permit or license issued to such person, and
108 all other such permits or licenses issued to any
109 other person for such property, shall be revoked
110 by the commissioner and the right to obtain such
111 permit or license shall remain suspended for such
112 period of time as the commissioner determines.

113 (d) Any permit or license issued under this
114 section shall not authorize the taking of deer.

115 ENV COMMITTEE VOTE: YEA 18 NAY 5 JFS

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER sSB 412

STATE IMPACT	Minimal Cost, Within Resources, see explanation below
MUNICIPAL IMPACT	None
STATE AGENCY(S)	Department of Environmental Protection

EXPLANATION OF ESTIMATES:

STATE IMPACT: Passage of this bill will require the diversion of various existing Department of Environmental Protection wildlife personnel for a total of approximately 150 man hours away from current duties. This is necessary to incorporate and develop non lethal methods of controlling nuisance wildlife into training courses as well as monitor and enforce the new provisions.

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OLR BILL ANALYSIS

sSB 412

AN ACT CONCERNING THE CONTROL OF NUISANCE WILDLIFE

SUMMARY: This bill requires applicants for a nuisance wildlife control business license to be trained in nonlethal methods of resolving common nuisance wildlife problems. These methods must include training in using frightening devices, repellants, one-way doors and other exclusion methods, habitat modification, live trapping and releasing, and other appropriate methods. The law already requires applicants to be trained in

lethal methods of resolving these problems.

Current law requires a licensee to give prospective clients a written statement on approved lethal methods that can be used to resolve a nuisance problem before providing the control service. The bill (1) requires the statement also to include information on nonlethal options and (2) allows a licensee to orally explain the options to a client before providing the service if the written statement cannot be delivered before the service is given. If a licensee gives an oral explanation, he must also leave a written statement at the job site or another location arranged with the client.

EFFECTIVE DATE: October 1, 1998

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute
Yea 18 Nay 5